

THURSDAY, JANUARY 20, 1994

FIFTY-THIRD LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by David Gregory, Associate Minister, Northside Church of Christ, Madison, Tennessee.

Representative Stamps led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Huskey; father's death.

Representative Turner (Hamilton).

MOTION TO RECONSIDER

Rep. Williams (Union) moved to reconsider Senate Bill No. 592, which motion failed for lack of a second.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to Rule No. 17, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Joint Resolution No. 0371** -- Memorials, Congress -- Urges regulation of sale of violent and offensive video games to minors. by \*Gunnels.

Judiciary Committee.

**\*House Joint Resolution No. 0373** -- Memorials, Congress -- Urges use of U.S. Postal Service to conduct U.S. census in year 2000. by \*Phelan, \*Cole Ronnie, \*Walley, \*Ridgeway, \*McKee, \*Rinks, \*Rigsby, \*Johnson, \*Gunnels, \*Anderson, \*Hargrove, \*Bell, \*Severance.

State and Local Government Committee.

RESOLUTIONS

Pursuant to Rule No. 17, the following resolution(s) was/were introduced and placed on the Consent Calendar for Monday, January 24, 1994:

**House Joint Resolution No. 0374** -- Memorials, Professional Achievement -- William Hudson, interim general manager, MATA. by \*Dixon, \*Turner L.

**House Joint Resolution No. 0375** -- Memorials, Recognition and Thanks -- Tom Gallman. by \*Rigsby.

**House Joint Resolution No. 0376** -- Memorials, Professional Achievement -- Don Shadow, Commercial Award. by \*Rigsby.

**House Joint Resolution No. 0377** -- Memorials, Public Service -- David Newberry. by \*Ferguson, \*Windle.

**House Joint Resolution No. 0378** -- Memorials, Death -- Joe Nunley. by \*Bragg.

**House Joint Resolution No. 0379** -- Memorials, Professional Achievement -- Clarence Seiferth and Seiferth Contractors, Inc., Black Business of the Year Award. by \*Jones R.

SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)

Pursuant to Rule No. 17, the resolution(s) listed was/were noted as being placed on the Consent Calendar for Monday, January 24, 1994:

**Senate Joint Resolution No. 0257** -- Memorials, Retirement -- Dr. Ruth H. Neff, State Planning Office.

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**Senate Joint Resolution No. 0258 -- Memorials, Death -- H. G. Hill, Jr.**

**Senate Joint Resolution No. 0264 -- Memorials, Recognition and Thanks -- John Sherman, Executive Director, Tennessee Environmental Council.**

**Senate Joint Resolution No. 0274 -- Memorials, Death -- Alvin K. Bissell.**

#### **RESOLUTIONS LYING OVER**

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

**Senate Joint Resolution No. 0260 -- Naming and Designating -- Youth Service Day, April 19, 1994.**

Health and Human Resources Committee.

#### **INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 1989 -- TennCare -- Prohibits managed care organizations participating in TennCare from advertising incentives to encourage persons to join their health provider organization. Amends TCA, Title 71. by \*West.**

**House Bill No. 1990 -- Motor Vehicle Commission -- Increases from two to three number of nominees offered by Tennessee Automotive Association for selection by governor of new members to motor vehicle commission. Amends TCA, Title 55. by \*Robinson.**

**House Bill No. 1991 -- Physicians and Surgeons -- Increases certain maximum pathologist autopsy fee from \$100 to \$1,000; deletes \$50.00 maximum pathologist autopsy fee for Hamilton County. Amends TCA, Title 38, Ch. 7. by \*Robinson.**

**House Bill No. 1992 -- Pensions and Retirement Benefits -- Redefines "earnable compensation" under TCRS. Amends TCA 8-34-101, 8-35-404, 8-36-102, 8-37-210, 214. by \*Rhinehart.**

**House Bill No. 1993 -- Taxes -- Defines "earnable compensation" pursuant to Internal Revenue Code; provides for certain limitations and exemptions. Amends TCA, Title 8, Chs. 34, 35. by \*Rhinehart.**

**House Bill No. 1994 -- Public Funds and Financing -- Alters method of valuation of certain investments; gives board of trustees new powers in certain situations. Amends TCA, Title 8, Ch. 37, Pt. 1. by \*Rhinehart.**

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**House Bill No. 1995 -- Pensions and Retirement Benefits --** Redesignates "consolidated retirement board" as "board of trustees of the consolidated retirement system". Amends TCA, Title 8, Ch. 25, Pts. 1, 3, 5. by \*Rhinehart.

**House Bill No. 1996 -- Taxes, Sales --** Clarifies application of sales and use tax to optical laboratories which manufacture prescription eyewear primarily for sale outside of Tennessee. Amends TCA 67-6-102, 67-6-316. by \*Kisber, \*West, \*Bragg, \*Haun, \*Turner B, \*Rhinehart, \*Jones R, \*Purcell.

**\*House Bill No. 1997 -- Motor Vehicles, Titling and Registration --** Permits issuance of anti-crime license plates. Amends TCA, Title 55, Ch. 4. by \*Windle.

**House Bill No. 1998 -- Teachers --** Compensates teachers in state correctional special school districts on average of salaries in all LEAs statewide in which correctional facilities are located. Amends TCA 4-6-143. by \*Windle.

**House Bill No. 1999 -- Morgan County --** Revises terms of district school commissioners from six to four years. Amends Chapter 362, Private Acts of 1941, as amended. by \*Windle.

**House Bill No. 2000 -- Highways, Roads and Bridges --** Requires specific method of marking state highway rights-of-way. Amends TCA, Title 54, Ch. 5, Pt. 1. by \*Windle.

**House Bill No. 2001 -- Utilities, Utility Districts --** Provides for promulgation of rules by commissioners of Sunbright Utility District for terms of office, vacancies and election by customers. Amends TCA, Title 7, Ch. 82. by \*Windle.

**House Bill No. 2002 -- Fire Prevention and Investigation --** Sets time of service for certain deputy building inspectors in Fentress County. Amends TCA, Title 68. by \*Windle.

**House Bill No. 2003 -- Banks and Financial Institutions --** Allows payable on death accounts to be paid to living trusts. Amends TCA 45-2-704. by \*Fowlkes.

**House Bill No. 2004 -- Municipal Government --** Authorizes compensation for members of municipal planning commissions. Amends TCA 13-4-101. by \*Fowlkes.

**House Bill No. 2005 -- Municipal Government --** Requires municipal clerk or recorder to obtain certification for professional standards from secretary of state. Amends TCA, Title 6, Ch. 54, Pt. 1. by \*Fowlkes, \*Hillis, \*Kent, \*Huskey, \*Meyer, \*West, \*Hargrove, \*Love, \*Callicott, \*Duer, Phillips.

**House Bill No. 2006 -- Judicial Districts --** Creates additional judge for 22nd judicial district to be elected in August 1994. Amends TCA 16-2-506. by \*Fowlkes, \*Napier, \*Moore, \*Collier.

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**House Bill No. 2007** -- Utilities, Utility Districts -- Requires, after January 1, 1995, all vacancies occurring on the board of any utility district be filled by vote of the district's customers, such elections to be conducted in accordance with uniform notification, nomination, and election procedures. Amends TCA, Title 7, Ch. 82. by \*Rhinehart.

**House Bill No. 2008** -- Appropriations -- Appropriates \$22,685 to River City Ballet Company of Memphis. by \*DeBerry, \*Miller, \*Chumney, \*Armstrong.

**House Bill No. 2009** -- Local Education Agency -- Authorizes local boards of education to promulgate and adopt rules and regulations prohibiting secondary school students from wearing clothing or accessories which denote membership in or affiliation with any gang associated with criminal activities while on school property. Amends TCA, Title 49, Ch. 6. by \*DeBerry, \*Miller, \*Chumney, \*Herron, \*Armstrong.

**House Bill No. 2010** -- Game and Fish Laws -- Revises taking of game fish and shellfish. Amends TCA 70-2-205, 221, 222, 70-4-119. by \*Odom.

**House Bill No. 2011** -- Solid Waste Disposal -- Prohibits county from imposing surcharge until expiration of 30 days, rather than immediately, after solid waste plan is approved. Amends TCA, Title 68, Ch. 2, Pt. 11. by \*Kent.

**House Bill No. 2012** -- Annexation -- Permits municipality to notify by first class mail each property owner within area of proposed annexation. Amends TCA 6-51-102. by \*West.

**House Bill No. 2013** -- Utilities, Utility Districts -- Allows electrical cooperatives to make available poles, ducts, rights-of-way and conduits at rates applied to investor-owned utilities under federal law. by \*West.

**House Bill No. 2014** -- Alcoholic Beverages -- Authorizes incorporated cities, towns and class B counties to require that beer permits be renewed annually. Amends TCA 57-5-106. by \*Napier.

**House Bill No. 2015** -- Railroads -- Allocates sales tax collected from railroads for public railroad bridge rehabilitation. Amends TCA, Title 7, Ch. 56, Pt. 2, 67-6-103. by \*Napier, \*Rhinehart, \*Moore, \*Fowlkes, \*Hillis, \*Phelan, \*Ridgeway, \*West, \*Head, \*Hargrove, \*Cole Ronnie, \*Cole Ralph, Ferguson, Buck, Lewis, Whitson, Bell.

**House Bill No. 2016** -- Highway Signs -- "Keith L. Moore Memorial Highway," U.S. Highway 79 from Milan to Humboldt. by \*Phelan.

**House Bill No. 2017** -- Insurance, Life -- Requires insurers to offer individual life insurance policies to persons whose group life insurance coverage is terminated due to loss of employment. Amends TCA 56-7-601. by \*Gunnels.

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**House Bill No. 2018 -- Workers' Compensation --** Prohibits department of labor from requiring employee to submit employer's tax returns as evidence of employee's work relationship. Amends TCA, Title 50, Ch. 6, Pt. 1. by \*Liles.

**House Bill No. 2019 -- Workers' Compensation --** Requires department of labor to develop form to provide notification to interested parties of termination of workers' compensation coverage. Amends TCA, Title 50, Ch. 6, Pt. 1. by \*Liles.

**House Bill No. 2020 -- Workers' Compensation --** Requires insurance companies offering deductibles for workers' compensation insurance to make such deductibles available to employers in assigned risk pool. Amends TCA, Title 50, Ch. 6, Pt. 4. by \*Liles.

**House Bill No. 2021 -- Workers' Compensation --** Denies workers' compensation benefits to worker injured or killed while under influence of controlled substance; provides that injured workers who refuse to take drug test after written notice forfeit all workers' compensation benefits. Amends TCA 50-6-110. by \*Liles.

**\*House Bill No. 2022 -- Child Abuse --** Clarifies that school teacher or other school employee who reports suspected child abuse or who is required to testify in court may not be required to take vacation, bonus or personal day or lose day's pay due to absence from employment required to testify. Amends TCA 37-1-140. by \*Hassell.

**House Bill No. 2023 -- Sentencing --** Requires judges to impose mandatory sentence enhancement for felonies committed with deadly weapon. Amends TCA 40-35-114. by \*Hassell, \*Joyce.

**House Bill No. 2024 -- Taxes, Real Property --** Establishes sliding scale of reimbursement for the elderly and disabled homeowners' property tax relief programs. Amends TCA 67-5-702, 703. by \*Hassell, \*Joyce.

**House Bill No. 2025 -- Custody and Support --** Clarifies how child support guidelines are to be used when there are previous support orders and children supported in different households. Amends TCA 36-5-101. by \*Buck, \*Anderson.

**House Bill No. 2026 -- Surveyors --** Revises qualifications for eligibility to register as professional land surveyor effective July 1, 2000. Amends TCA 62-18-109. by \*Boyer.

**House Bill No. 2027 -- Education --** Creates liability insurance for school volunteers assisting schools, teachers and administrators. Amends TCA, Title 49, Ch. 5, Pt. 3. by \*Boyer.

**House Bill No. 2028 -- Surveyors --** Authorizes board for land surveyors to permit registered land surveyors to perform limited non-monumentative surveying procedure called "mortgage loan inspection"; establishes minimum standards. Amends TCA 62-18-126. by \*Boyer.

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**House Bill No. 2029 -- Municipal Government --** Authorizes municipal government to invest idle funds in banker acceptances and commercial paper. Amends TCA, Title 6, Ch. 56. by \*Tindell.

**\*House Bill No. 2030 -- Motor Vehicles, Titling and Registration --** Requires brand on car title of rebuilt motor vehicle. Amends TCA, Title 55, Ch. 3. by \*Callicott.

**\*House Bill No. 2031 -- Telecommunications --** Limits creation of E-911 districts. Amends TCA, Titles 53, 68. by \*Callicott, \*Williams Mike.

**House Bill No. 2032 -- Firearms and Ammunition --** Allows any sheriff to issue statewide handgun permit to person satisfying certain requirements; removes liability insurance as prerequisite; lengthens expiration of permit from one to four years. Amends TCA 39-17-1315. by \*Stockburger, \*Shirley, \*Joyce, \*McDaniel, \*Williams Micheal, \*Gunnels, \*Meyer, \*Hassell, \*Ramsey, \*Jones U, Miller, Haley.

**House Bill No. 2033 -- Crime, Victims of --** Enacts "Local Government Victim Advocacy Act" in Knox County. by \*Ritchie.

**House Bill No. 2034 -- Public Records --** Allows home rule municipalities to utilize a records disposition authorization procedure adopted by local ordinance. Amends TCA, Title 10, Ch. 7, Pt. 4. by \*Ritchie.

**House Bill No. 2035 -- TennCare --** Requires all managed care organizations participating in TennCare to use uniform accounting and billing procedures; authorizes department of health to promulgate rules after consulting with THA, TMA and TPA. Amends TCA, Title 71. by \*Ritchie.

**House Bill No. 2036 -- Capital Punishment --** Allows news media at executions. Amends TCA 40-23-116. by \*Ritchie.

**House Bill No. 2037 -- District Attorneys --** Creates three additional assistant district attorney positions, one additional criminal investigator position and one additional victim witness coordinator position in 26th judicial district. Amends TCA 16-2-506. by \*Napier, \*Fowlkes, \*Collier, \*Moore.

**House Bill No. 2038 -- Bad Checks --** Authorizes each district attorney general to establish special economic crimes division and worthless check division; sets out procedure for doing so. Amends TCA, Title 40, Ch. 3, Pt. 2. by \*Pinion.

**House Bill No. 2039 -- Hospitals and Health Care Facilities --** Allows health care providers to employ physician, surgeon or other licensed practitioner of the healing arts to treat such health care provider's patients and enrollees. Amends TCA, Title 63, Ch. 6, Pt. 2; Title 68, Ch. 11, Pt. 2. by \*Pinion.

**House Bill No. 2040 -- Taxes, Severance --** Clarifies that

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limestone, sand and gravel are direct products of soil in hands of producer or immediate vendor and exempt from taxation. Amends TCA 67-5-216. by \*Anderson, \*Hillis, \*Head.

**House Bill No. 2041 -- Solid Waste Disposal --** Allows department of general services to offer one time grant to assist counties and cities in disposal of waste tires. Amends TCA, Title 68, Ch. 211, Pt. 8. by \*Armstrong, \*Tindell, \*Severance, \*Ritchie, \*Boyer, \*Peroulas Draper, \*Bittle.

**House Bill No. 2042 -- Taxes, Sales --** Provides that sale of combined boat/motor/trailer package shall be considered "single unit" for purposes of local option sales tax. Amends TCA, Title 67, Ch. 6, Pt. 7. by \*Rinks, \*Ridgeway, \*Collier, \*Fisher, \*Ferguson, \*Rigsby.

**\*House Bill No. 2043 -- Pensions and Retirement Benefits --** Makes appointed members of county water boards eligible for membership and prior service credit in TCRS. Amends TCA, Title 8, Ch. 35, Pt. 2. by \*Crain.

### **SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**Senate Bill No. 1676 -- Statutes --** Codifies Public Acts of 1993. (HB 1708).

### **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**\*House Bill No. 1789 -- Taxes, Severance -- Finance, Ways and Means Committee.**

**House Bill No. 1790 -- Marriage -- Judiciary Committee.**

**House Bill No. 1791 -- Criminal Offenses -- Judiciary Committee.**

**House Bill No. 1792 -- Jellico --** Held on Clerk's desk pending approval by local delegation.

**\*House Bill No. 1793 -- Taxes, Real Property -- Finance, Ways and Means Committee.**

**\*House Bill No. 1794 -- Travel Regulations -- State and Local Government Committee.**

**\*House Bill No. 1795 -- Local Education Agency -- Education Committee.**



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**House Bill No. 1796** -- New Johnsonville -- Held on Clerk's desk pending approval by local delegation.

**\*House Bill No. 1797** -- Highway Signs -- Transportation Committee.

**House Bill No. 1798** -- Jails, Local Lock-ups -- State and Local Government Committee.

**House Bill No. 1799** -- Surveyors -- Commerce Committee.

**\*House Bill No. 1800** -- Safety -- Consumer and Employee Affairs Committee.

**\*House Bill No. 1801** -- Custody and Support -- Judiciary Committee.

**House Bill No. 1802** -- Highways, Roads and Bridges -- Transportation Committee.

**\*House Bill No. 1803** -- Safety -- Consumer and Employee Affairs Committee.

**\*House Bill No. 1804** -- Motor Vehicles -- Transportation Committee.

**House Bill No. 1805** -- Taxes, Real Property -- State and Local Government Committee.

**\*House Bill No. 1806** -- Criminal Procedure -- Judiciary Committee.

**House Bill No. 1807** -- Marriage -- Judiciary Committee.

**\*House Bill No. 1808** -- Purchasing -- State and Local Government Committee.

**\*House Bill No. 1809** -- Firearms and Ammunition -- Judiciary Committee.

**\*House Bill No. 1810** -- Taxes, Real Property -- State and Local Government Committee.

**\*House Bill No. 1811** -- Professions and Occupations -- Commerce Committee.

**\*House Bill No. 1812** -- Consumer Protection -- Consumer and Employee Affairs Committee.

**\*House Bill No. 1813** -- Hospitals and Health Care Facilities -- Health and Human Resources Committee.

**\*House Bill No. 1814** -- Hospitals and Health Care Facilities -- Health and Human Resources Committee.

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**\*House Bill No. 1815 -- Education -- Education Committee.**

**House Bill No. 1816 -- Juries and Jurors -- Judiciary Committee.**

**\*House Bill No. 1817 -- Environmental Preservation -- Conservation and Environment Committee.**

**House Bill No. 1818 -- Housing -- Health and Human Resources Committee.**

**\*House Bill No. 1819 -- Juvenile Offenders -- Judiciary Committee.**

**\*House Bill No. 1820 -- Courts, Circuit -- Judiciary Committee.**

**\*House Bill No. 1821 -- Unemployment Compensation -- Consumer and Employee Affairs Committee.**

**\*House Bill No. 1822 -- Workers' Compensation -- Consumer and Employee Affairs Committee.**

**\*House Bill No. 1823 -- Criminal Procedure -- Judiciary Committee.**

**\*House Bill No. 1824 -- Criminal Offenses -- Judiciary Committee.**

**House Bill No. 1825 -- Law Enforcement -- Judiciary Committee.**

**House Bill No. 1826 -- Correctional Programs -- State and Local Government Committee.**

**House Bill No. 1827 -- Pensions and Retirement Benefits -- State and Local Government Committee.**

**\*House Bill No. 1828 -- General Assembly, Studies -- State and Local Government Committee.**

**\*House Bill No. 1829 -- Veterans' Affairs, Dept. of -- State and Local Government Committee.**

**House Bill No. 1830 -- Appropriations -- Finance, Ways and Means Committee.**

**\*House Bill No. 1831 -- Correction, Dept. of -- State and Local Government Committee.**

**\*House Bill No. 1832 -- General Assembly, Studies -- Judiciary Committee.**

**\*House Bill No. 1833 -- Claims Commission, Tennessee -- Judiciary Committee.**

**\*House Bill No. 1834 -- Telecommunications -- Commerce Committee.**

**\*House Bill No. 1835 -- Sentencing -- Judiciary Committee.**

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**\*House Bill No. 1836 -- Hospitals and Health Care Facilities -- Commerce Committee.**

**\*House Bill No. 1837 -- Economic and Community Development -- Finance, Ways and Means Committee.**

**\*House Bill No. 1838 -- Child Abuse -- Judiciary Committee.**

**\*House Bill No. 1839 -- AIDS -- Health and Human Resources Committee.**

**\*House Bill No. 1840 -- Welfare -- Health and Human Resources Committee.**

**\*House Bill No. 1841 -- Railroads -- Transportation Committee.**

**\*House Bill No. 1842 -- Day Care -- Health and Human Resources Committee.**

**House Bill No. 1843 -- TennCare -- Commerce Committee.**

**\*House Bill No. 1844 -- Taxes, Sales -- Finance, Ways and Means Committee.**

**\*House Bill No. 1845 -- Nurses, Nursing -- Health and Human Resources Committee.**

**\*House Bill No. 1846 -- Housing -- State and Local Government Committee.**

**\*House Bill No. 1847 -- Boards and Commissions -- Judiciary Committee.**

**House Bill No. 1848 -- DUI/DWI Offenses -- Judiciary Committee.**

**House Bill No. 1849 -- DUI/DWI Offenses -- Judiciary Committee.**

**\*House Bill No. 1850 -- Courts -- Judiciary Committee.**

**\*House Bill No. 1851 -- Real Estate Agents and Brokers -- Commerce Committee.**

**\*House Bill No. 1852 -- General Assembly -- State and Local Government Committee.**

**\*House Bill No. 1853 -- Gas, Petroleum Products, Volatile Oils -- Transportation Committee.**

**House Bill No. 1854 -- Tennessee Bureau of Investigation -- Judiciary Committee.**

**House Bill No. 1855 -- Traffic Safety -- Transportation Committee.**

**House Bill No. 1856 -- Firefighters -- Commerce Committee.**

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**\*House Bill No. 1857 -- Medicare and Medicaid -- State and Local Government Committee.**

**House Bill No. 1858 -- Medicare and Medicaid -- State and Local Government Committee.**

**House Bill No. 1859 -- Salaries and Benefits -- State and Local Government Committee.**

**\*House Bill No. 1860 -- Appropriations -- Finance, Ways and Means Committee.**

**\*House Bill No. 1861 -- Correctional Programs -- Judiciary Committee.**

**\*House Bill No. 1862 -- Hospitals and Health Care Facilities -- Health and Human Resources Committee.**

**House Bill No. 1863 -- Hamilton County -- Held on Clerk's desk pending approval by local delegation.**

**\*House Bill No. 1864 -- Telecommunications -- Commerce Committee.**

**House Bill No. 1865 -- Courts, General Sessions -- Judiciary Committee.**

**House Bill No. 1866 -- Banks and Financial Institutions -- Commerce Committee.**

**House Bill No. 1867 -- Banks and Financial Institutions -- Commerce Committee.**

**\*House Bill No. 1868 -- Mortgages -- Commerce Committee.**

**\*House Bill No. 1869 -- Alcoholic Beverages -- State and Local Government Committee.**

**\*House Bill No. 1870 -- Board of Regents -- Education Committee.**

**\*House Bill No. 1871 -- Welfare -- Judiciary Committee.**

**\*House Bill No. 1872 -- Taxes, Sales -- Finance, Ways and Means Committee.**

**House Bill No. 1873 -- Taxes, Sales -- Finance, Ways and Means Committee.**

**House Bill No. 1874 -- Taxes, Sales -- Finance, Ways and Means Committee.**

**\*House Bill No. 1875 -- County Government -- Finance, Ways and Means Committee.**

**\*House Bill No. 1876 -- Education -- Education Committee.**

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**House Bill No. 1877 -- Probation -- Judiciary Committee.**

**\*House Bill No. 1878 -- Highways, Roads and Bridges -- Transportation Committee.**

**\*House Bill No. 1879 -- Education -- Education Committee.**

**\*House Bill No. 1880 -- Welfare -- Health and Human Resources Committee.**

**\*House Bill No. 1881 -- Tort Liability -- Judiciary Committee.**

**\*House Bill No. 1882 -- Attorneys at Law -- Judiciary Committee.**

**\*House Bill No. 1883 -- TennCare -- Commerce Committee.**

**\*House Bill No. 1884 -- Civil Procedure -- Judiciary Committee.**

**\*House Bill No. 1885 -- Civil Procedure -- Judiciary Committee.**

**\*House Bill No. 1886 -- Education -- Education Committee.**

**\*House Bill No. 1887 -- Taxes -- Finance, Ways and Means Committee.**

**\*House Bill No. 1888 -- Alcoholic Beverages -- State and Local Government Committee.**

**\*House Bill No. 1889 -- Education -- Education Committee.**

**House Bill No. 1890 -- Real Estate Agents and Brokers -- Finance, Ways and Means Committee.**

**\*House Bill No. 1891 -- Professions and Occupations -- State and Local Government Committee.**

**\*House Bill No. 1892 -- TennCare -- Commerce Committee.**

**\*House Bill No. 1893 -- Sexual Offenses -- Judiciary Committee.**

**\*House Bill No. 1894 -- Insurance, Health, Accident -- Commerce Committee.**

**House Bill No. 1895 -- Juvenile Offenders -- State and Local Government Committee.**

**\*House Bill No. 1896 -- Civil Procedure -- Judiciary Committee.**

**\*House Bill No. 1897 -- Custody and Support -- Judiciary Committee.**

**\*House Bill No. 1898 -- Garnishments and Executions -- Judiciary Committee.**

**\*House Bill No. 1899 -- Historical Sites -- Finance, Ways and Means Committee.**

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**\*House Bill No. 1900 -- Criminal Offenses -- Judiciary Committee.**

**\*House Bill No. 1901 -- General Assembly -- State and Local Government Committee.**

**\*House Bill No. 1902 -- Education -- Education Committee.**

**\*House Bill No. 1903 -- Pharmacy -- Commerce Committee.**

**\*House Bill No. 1904 -- Pharmacy -- Health and Human Resources Committee.**

**\*House Bill No. 1905 -- Pharmacy -- Health and Human Resources Committee.**

**\*House Bill No. 1906 -- Pharmacy -- Health and Human Resources Committee.**

**\*House Bill No. 1907 -- Pharmacy -- Health and Human Resources Committee.**

**\*House Bill No. 1908 -- Pharmacy -- Health and Human Resources Committee.**

**House Bill No. 1909 -- Custody and Support -- Judiciary Committee.**

**House Bill No. 1910 -- Estates -- Judiciary Committee.**

**House Bill No. 1911 -- Local Education Agency -- State and Local Government Committee.**

**House Bill No. 1912 -- Chiropractors -- Health and Human Resources Committee.**

**House Bill No. 1913 -- Smoking -- Commerce Committee.**

**House Bill No. 1914 -- Bond Issues -- Finance, Ways and Means Committee.**

**House Bill No. 1915 -- Education -- Education Committee.**

**House Bill No. 1916 -- Education -- Education Committee.**

**House Bill No. 1917 -- Education -- Education Committee.**

**House Bill No. 1918 -- Federal Aid -- State and Local Government Committee.**

**House Bill No. 1919 -- Sexual Offenses -- Judiciary Committee.**

**House Bill No. 1920 -- County Officers -- State and Local Government Committee.**

**House Bill No. 1921 -- Local Education Agency -- Education Committee.**

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**House Bill No. 1922 -- Sentencing -- Judiciary Committee.**

**\*House Bill No. 1923 -- Taxes, Privilege -- Finance, Ways and Means Committee.**

**House Bill No. 1924 -- Children -- Health and Human Resources Committee.**

**\*House Bill No. 1925 -- Animals -- Agriculture Committee.**

**House Bill No. 1926 -- Sentencing -- Judiciary Committee.**

**House Bill No. 1927 -- Economic and Community Development -- State and Local Government Committee.**

**House Bill No. 1928 -- Education -- Judiciary Committee.**

**House Bill No. 1929 -- Economic and Community Development -- State and Local Government Committee.**

**House Bill No. 1930 -- Economic and Community Development -- State and Local Government Committee.**

**House Bill No. 1931 -- Economic and Community Development -- State and Local Government Committee.**

**\*House Bill No. 1932 -- Highways, Roads and Bridges -- Transportation Committee.**

**House Bill No. 1933 -- Handicapped Persons -- Transportation Committee.**

**House Bill No. 1934 -- Pest Control -- Education Committee.**

**House Bill No. 1935 -- Public Service Commission -- Transportation Committee.**

**House Bill No. 1936 -- Advertising -- Transportation Committee.**

**House Bill No. 1937 -- Firearms and Ammunition -- Judiciary Committee.**

**House Bill No. 1938 -- Courts, Juvenile -- Judiciary Committee.**

**House Bill No. 1939 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1940 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1941 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1942 -- Sunset Laws -- Government Operations Committee.**

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House Bill No. 1943 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1944 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1945 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1946 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1947 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1948 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1949 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1950 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1951 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1952 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1953 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1954 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1955 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1956 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1957 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1958 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1959 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1960 -- Sunset Laws -- Government Operations Committee.

House Bill No. 1961 -- Administrative Procedure -- Government Operations Committee.



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**House Bill No. 1962 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1963 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1964 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1965 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1966 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1967 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1968 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1969 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1970 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1971 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1972 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1973 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1974 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1975 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1976 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1977 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1978 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1979 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1980 -- Sunset Laws -- Government Operations Committee.**

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**House Bill No. 1981 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1982 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1983 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1984 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1985 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1986 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1987 -- Sunset Laws -- Government Operations Committee.**

**House Bill No. 1988 -- Sunset Laws -- Government Operations Committee.**

**PRESENT IN CHAMBER**

Representative(s) Kernell was/were recorded as being present in the Chamber.

**CONSENT CALENDAR**

**House Joint Resolution No. 0367 -- Memorials, Death -- Dennis Wayne Brooks, Jr.**

**House Joint Resolution No. 0369 -- Memorials, Public Service -- Cleveland Bradley County 2000 Task Force III, Cleveland Kids on the Block, Inc. and Next Door Neighbors' Education for Life Program.**

**House Joint Resolution No. 0370 -- Memorials, Sports -- Sweetwater High School football team.**

**House Joint Resolution No. 0372 -- Memorials, Sports -- Hardin County High School football team.**

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

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Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**UNFINISHED BUSINESS**

**RULES SUSPENDED**

Rep. Coffey moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 274 out of order, which motion prevailed.

**Senate Joint Resolution No. 0274 -- Memorials, Death -- Alvin K. Bissell.**

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Coffey, with the request that all members voting aye be added as sponsors, the resolution was concurred in by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Turner (Shelby), Venable, Walley,

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West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Purcell moved to suspend the rules so that the Elections subcommittee of State and Local Government Committee could meet today to consider House Bill No. 1705; and so that if the bill were reported out of subcommittee, the State and Local Government could meet to consider House Bill No. 1705; and if reported out, the Calendar and Rules Committee could meet to consider House Bill No. 1705, which could then be considered on the House Floor today, which motion prevailed.

**REPORTS FROM STANDING COMMITTEES**

The committees that met on Thursday, January 20, 1994, reported the following:

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
January 20, 1994**

The Calendar and Rules Committee met and set the following bill(s) on the Regular Calendar for Thursday, January 20, 1994: House Bill(s) No(s). 1705.

**STATE AND LOCAL GOVERNMENT**

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 1705. Under the rules, each was transmitted to the Calendar and Rules Committee.

**MOTION TO RECESS**

On motion of Speaker Naifeh, the House recessed for 10 minutes.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

On motion of Rep. Purcell, the roll call was dispensed with.

**REGULAR CALENDAR, CALENDAR**

\*House Bill No. 1705 -- County Officers -- Authorizes Loudon

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County commission by 2/3 vote to provide for election of one constable from each of nine county legislative districts. Amends TCA 8-10-101.

Rep. Gunnels moved that **House Bill No. 1705** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	0
Present and not voting. . . . .	4

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Kent, Kernell, Kisber, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Brooks, Haley, Jones U (Shelby), Joyce -- 4.

A motion to reconsider was tabled.

**BILLS WITHDRAWN**

On motion of Rep. McAfee, **House Bill No. 1863** was withdrawn from the House.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 48:** Rep(s). Haley as prime sponsor(s).

**House Joint Resolution No. 372:** Rep(s). Walley as prime sponsor(s).

**House Bill No. 598:** Rep(s). Haley as prime sponsor(s).

**House Bill No. 1699:** Rep(s). Stamps and West as prime sponsor(s).

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**House Bill No. 1700: Rep(s). Stamps as prime sponsor(s).**

**MESSAGE FROM THE SENATE  
January 20, 1994**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution(s) No(s). 356, 357, 360 and 361; signed by the Speaker.

**CLYDE W. McCULLOUGH, JR., Chief Clerk.**

**REPORT OF CHIEF ENGROSSING CLERK  
January 20, 1994**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 356, 357, 360 and 361.

**BETTY KAY FRANCIS, Chief Engrossing Clerk.**

**ENGROSSED BILLS  
January 20, 1994**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1705; also, House Joint Resolution(s) No(s). 367, 369, 370 and 372.

**BETTY KAY FRANCIS, Chief Engrossing Clerk.**

**MESSAGE FROM THE SENATE  
January 20, 1994**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill No. 592; for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR., Chief Clerk.**

**SIGNED  
January 20, 1994**

The Speaker signed the following bill(s): Senate Bill(s) No(s). 592.

**CONSENT CALENDAR  
January 20, 1994**

The following local bills have been placed on the Consent Calendar for Monday, January 24, 1994: House Bill(s) No(s). 1721.

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ROLL CALL

The roll call was taken with the following results:

Present . . . . . 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, January 24, 1994.